IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

Crl.Rev.Pet.No. 3462 of 2005()

CRA.592/2004 of ADDL.SESSIONS COURT, KOTTAYAM
CC.275/2003 of JUDL. MAGISTRATE OF FIRST CLASS-II(MOBILE), KOTTAYAM

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REVN. PETITIONER: APPELLANTS/ACCUSED

V.J.ANDREWS, VALIYAPARAMBIL,
AMALAGIRI.P.O, KOTTAYAM.

BY ADV. SRI.SURIN GEORGE IPE

RESPONDENTS: COMPLAINANT AND STATE OF KERALA.

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1. VIKAS HIRE PURCHASE COMPANY (P) LTD.,
HAVING ITS REGISTERED OFFICE AT M.C.ROAD,
KOTTAYAM REPRESENTED BY THE POWER OF ATTORNEY
HOLDER M.RADHAKRISHNAN, MANAGER, HEAD OFFICE
KOTTAYAM.

2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. SRI.THOMAS MATHEW (KOTTAYAM)
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.M.A. NO. 3462 of 2005

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Dated, this the 18th day of July 2007

ORDER

The accused in C.C. No.275 of 2003 on the file of the J.F.C.M-II (Mobile), Kottayam, for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A. 7733 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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